

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
Anderson/Greenwood Division**

Rebecca Ann R Hilliard as Personal Representative of the Estate of)	8:06-cv-03607-MGL
Glen Matthew Hilliard, Deceased,)	
)	
Plaintiff,)	.
)	
v.)	
)	
Landair Holdings Inc. also known as)	ADDITIONAL ORDER CONCERNING TRANSFER OF MANAGEMENT STRUCTURED SETTLEMENT
Landair Transport, Inc.)	
)	
Defendant.)	
)	

Mathew Hilliard, a beneficiary and son of the Estate of Glen Matthew Hilliard, through Counsel petitioned this Court for an additional Order to allow management of a structured settlement under which he is a beneficiary from the Probate Court of Anderson County, SC to the State Court in Kansas so it can consider certain transfers, in part because he has reached majority and now lives in Kansas.

The facts of this case pursuant to the Original lawsuit and Settlement are as follows:

1. On or about April 12, 2006 an accident occurred near the intersection of SC Highway 8 and SC Highway 29 in Anderson County South Carolina between a truck and a motorcycle.

2. The truck was driven by Leroy Rush, operating within the course and scope of his employment with Defendant Landair Holdings, Inc. also known as Landair Transport, Inc.

3. The motorcycle was driven by Glen Matthew Hilliard and he died from injuries sustained in the accident.

4. A settlement was reached between the parties and approved by this Court. (Docket Number 11)

5. The settlement included cash and a structured settlement that involved periodic payments which were to be paid to a trust for the benefit of each child.

6. This Court's order required payments from the Trust were to be managed by the Probate Court of Anderson County.

7. The personal representative and beneficiaries of the trust now live in the State of Kansas.

8. A beneficiary, Matthew Hilliard, reached an agreement with MAS-LAM, LLC involving a transfer of benefit and now has a subsequent agreement with Peachtree Settlement Funding, LLC. Involving a transfer of benefit.

5. This beneficiary petitioned a Kansas Court to issue an Order allowing him to modify and transfer some structured settlement rights to MAS-LAM, LLC

6. This Petition was made pursuant to the Kansas "Transfer of a Structured Settlement Act" under title 40, §461, et. seq. Kansas Consolidated Statutes Act

2014 and the Petition was granted. The Order is attached as an exhibit to the Motion filed by Peachtree Settlement Funding, LLC.

7. Peachtree Settlement Funding, LLC now wishes to be added as part of the transfer of benefits under the Settlement act and there are specific findings the Kansas Court will need to make under the “Conditions to transfers of structured settlement payment rights” to make sure the payee of the Structured Settlement is treated fairly.

8. Additionally, prior to filing a Petition the Kansas Code requires that if the transfer might contravene the terms of a Court Order involving a structured settlement and the settlement has been expressly approved by a court or responsible administrative authority then the Petition must include an Order that the Kansas Court can consider the Petition for Transfer of a Structured Settlement. This Court’s Order appointed the Anderson County Probate Court so an Order from this Court allowing transfer to Kansas is necessary. This was previously done by this Court for MAS-LAM,LLC and Peachtree Settlement Funding, LLC has now moved for a similar Order.

WHEREFORE, the Additional Motion to Transfer Management of Structured Settlement, (ECF No. 16), is **GRANTED** and Mathew Hilliard, beneficiary, and Peachtree Settlement Funding, Inc are hereby given permission to

petition the Kansas State Courts for transfer of any structured settlement rights rather than having to petition the Anderson County, SC Probate Court.

AND IT IS SO ORDERED

s/Mary Geiger Lewis

Honorable Mary Geiger Lewis
U. S. District Judge
901 Richland Street
Columbia, South Carolina 29201